

REMARKS/ARGUMENTS

In the Office Action dated November 29, 2005, the Examiner 1) rejected claims 1-8 and 15-18 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement, 2) rejected claims 1-5, 7, 9-12, and 14-18 under 35 U.S.C. § 102(b) as being anticipated by *Willis et al* (U.S. Patent 4,821,814) (hereinafter *Willis*), and 3) rejected claims 6, 8 and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Willis*. Applicant amends the claims and responds as follows.

Rejections under 35 U.S.C. § 112, first paragraph

The Examiner rejected claim 1-8 and 15-18 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner cites that the claims fail to meet the enablement requirement because the claims include tie members having one end attached to each structural element and “figure 3 only depicts tie members attached to element 14.” Applicant respectfully traverses the rejection and contends that claims 1-8 and 15-18 comply with the requirements of 35 U.S.C. § 112, first paragraph.

In paragraph [0023] the tie members 22 are described as being “connected at their ends 24 by pivot connections 26 on chamber 12 and ring 14.” Figure 2 clearly shows this arrangement. The Examiner has misconstrued Figure 3 in interpreting both ends 24 of the tie members 22 as being attached to element 14. Figure 3 is a plan view of the embodiment of Figure 2 that shows the interaction of the tie members with pipe 27. Ends 24 and connections 26 are not all located in the same plane, which is clearly shown in Figure 2. Because the specification and drawings clearly show the tie members having an end attached to each structural element, the Applicant requests withdrawal of the rejections base on 35 U.S.C. § 112, first paragraph.

Rejections under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-5, 7, 9-12, and 14-18 under 35 U.S.C. § 102(b) as being anticipated by *Willis*. Figures 2, 5, 6, and 7 of *Willis* show pipe centering mechanisms that utilize pivoting centering elements (152, 152', 152'') that are disposed about a centerline. The centering elements are rotated toward the centerline and engage pipes passing between the elements. In order to anticipate a claim, the cited reference must teach all of the limitations found in the claim. As *Willis* does not teach all of the limitations found in each of claims 1-5, 7, 9-12, and 14-18, the rejections based on 35 U.S.C. § 102(b) are improper and should be withdrawn.

Independent claims 1, 9, and 15 have been amended to more clearly claim that the tie members have a first end connected to a first member and a second end connected to a second member. None of the embodiments shown in Figures 2, 5, 6, and 7 of *Willis* include tie members having both ends attached to the structure. In each of the embodiments of *Willis*, the centering elements pivot about a pivot axis. In order to support the pivoting motion described in *Willis*, the centering members can only be connected at one end. Because *Willis* does not teach a tie member having both ends connected to the structure, amended claims 1, 9, and 15 are not anticipated by *Willis*. Claims 2-5 and 7 depend from claim 1 and are also not anticipated by *Willis*. Claims 10-12 and 14 depend from claim 9 and are also not anticipated by *Willis*. Claims 16-18 depend from claim 15 and are also not anticipated by *Willis*. Applicant contends that amended claims 1-5, 7, 9-12, and 14-18 are not anticipated by *Willis* and that the rejection should be withdrawn.

Rejections under 35 U.S.C. § 103(b)

The Examiner rejected claims 6, 8, and 13 as being obvious over *Willis*. Because each of claims 6, 8, and 13 depend from one of claims 1, 9, or 15, because *Willis* does not anticipate the scope of the amended independent claims, *Willis* can not render obvious the dependent claims as the reference does not teach or make obvious all of the limitations of the claims. With respect to claims 6 and 8 the Applicant would further like to point out that using wire cable or a material with a shape memory would not be obvious with the systems disclosed in *Willis*. The systems of *Willis* depend on the centering member to push the pipe being centered, using any flexible material for the centering members would render the systems inoperable. Therefore, for at least the reasons set forth above, claims 6, 8, and 13 are not rendered obvious by *Willis*.

Appl. No. 10/816,534
Amdt. Dated February 28, 2006
Reply to Office action of Nov. 29, 2005

Conclusion

If the Examiner believes that a telephonic interview would be beneficial, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Derek V. Forinash', is written over a horizontal line.

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